

UNITED STATES DISTRICT COURT
for the

Southern District of Georgia
Statesboro Division

United States of America
v.

Anthony Smith

Date of Previous Judgment: August 31, 2006
(Use Date of Last Amended Judgment if Applicable)

) Case No: CR605-00027-002

) USM No: 12633-021

) H. Lehman Franklin, Jr.

) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 108 months is reduced to 87 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 27

Criminal History Category: III

Previous Guideline Range: 87 to 108 months

Amended Offense Level: 25

Criminal History Category: III

Amended Guideline Range: 70 to 87 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

III. ADDITIONAL COMMENTS

If this sentence is less than the amount of time the defendant has already served, the sentence is reduced to a "Time Served" sentence.

Except as provided above, all provisions of the judgment dated August 31, 2006, shall remain in effect.

IT IS SO ORDERED.

Order Date: 9-9-2008

Effective Date:

(if different from order date)

B. Avant Edenfield
Judge's signature

B. Avant Edenfield
United States District Judge
For the Southern District of Georgia
Printed name and title